

1 PAUL F. NOVAK, ESQ. (*pro hac vice*)
MILBERG LLP
2 Chrysler House
719 Griswold Street, Suite 620
3 Detroit, MI 48226
Telephone: (313) 360-1760
4 Facsimile: (313) 447-2038
E-mail: pnovak@milberg.com

5 *Counsel for Indirect Purchaser Plaintiffs*
6
7
8

9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12
13 IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. CV-07-5944-JST

MDL No. 1917

14
15 This Document Relates to:

16 All Indirect Purchaser Actions
17
18
19
20
21
22
23
24
25
26
27
28

**DECLARATION OF PAUL F. NOVAK__
IN SUPPORT OF INDIRECT
PURCHASER PLAINTIFFS' RESPONSE
TO STATEMENT PURSUANT TO
ORDER RE: OBJECTION TO *EX PARTE*
COMMUNICATIONS AND *IN CAMERA*
REVIEW OF BILLING RECORDS**

Hearing Date: April 19, 2016

Time: 2:00 p.m.

Court: 9, 19th Floor

Judge: Hon. Jon S. Tigar

Special Master: Martin Quinn, JAMS

1 I, Paul F. Novak, declare:

2 1. I am an attorney duly licensed by the State of Michigan and am admitted *pro hoc*
3 *vice* to practice before this Court. I am a partner with the law firm Milberg LLP (“Milberg”) and
4 my firm serves as counsel for Ryan Rizzo and Travis Burau in the above-captioned action. The
5 matters set forth herein are within my personal knowledge and if called upon and sworn as a
6 witness I could competently testify regarding them.

7 2. I am the head of Milberg’s Antitrust Practice Group and have been the partner at
8 the firm responsible for overseeing the work of Milberg attorneys in this case and for generating
9 the portion of the fee application attributable to Milberg. Prior to my work at Milberg, I was the
10 Assistant Attorney General for the State of Michigan responsible for antitrust enforcement for the
11 State. Between my time at Milberg and my time at the State, I have been responsible for
12 generating dozens of fee applications, including the preparation of lodestar reports to multiple
13 state and federal courts.

14 3. I have reviewed the Objections filed by Objectors Cooper/Scarpulla (“Objectors”)
15 as it relates to the issue of quarter-hour billing increments. Although the Objectors do not cite
16 any specific references to Milberg time entries where they believe that quarter-hour billing was
17 used in an abusive manner, I thought it appropriate to nonetheless advise the Court of my
18 approach in generating and submitting Milberg’s fee application.

19 4. First, it is not a requirement at Milberg that small time entries are recorded with a
20 “minimum” time entry of .25 hours. For minor items such as reading or sending short email,
21 participating in short conferences or telephone calls and similar matters, my general practice (and
22 the general practice of the attorneys who work for me) is either to not record such minimal time
23 at all, or to bundle such time together with other short tasks until the aggregate time is
24 approximately .25 hours. Milberg does not have a general practice of automatically billing a
25 minimum .25 hours for each separate task. For instance, if a Milberg attorney engaged in three
26 separate phone calls of 5 minutes each, the general practice of the firm is not to bill .25 hours for
27 each five minute call, but instead, to bill .25 hours for the three calls collectively.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 12th day of April 2016 at Detroit, Michigan.

Counsel for the Indirect Purchaser Plaintiffs